



August 21, 2017

VIA ECF AND EMAIL

Hon. James B. Clark, III, U.S.M.J.
U.S. District Court for the District of New Jersey
U.S. Post Office & Courthouse
1 Federal Sq.
Newark, NJ 07101

**RE: *Microspherix LLC. v. Merck & Co., Inc., et al.*,
Civil Action No. 17-3984 (CCC)(JBC)**

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Dear Judge Clark:

We, along with Gibson, Dunn & Crutcher LLP, represent Defendants Merck & Co., Inc., Merck Sharp & Dohme Corp., N.V. Organon, and Merck Sharp & Dohme B.V. (collectively, "Defendants") in the above-referenced action. We write with Plaintiff's consent to seek a thirty day extension of time for the Defendants to file their responsive pleadings.

The parties have not previously requested an extension of time in this case. Defendants waived service of the summons on July 25, 2017, and their responsive pleadings are currently due September 25, 2017. The parties request a 30 day extension of this deadline to October 25, 2017.

If Your Honor approves of the proposed extension of time for the Defendants to file their responsive pleading, we respectfully request that Your Honor sign the enclosed Consent Order and enter it on the docket. Thank you for your assistance in this matter.

Respectfully submitted,

s/John E. Flaherty

John E. Flaherty

cc: Counsel of Record (via ECF & Email)

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